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July 10, 2018

VIA CM/ECF

The Honorable Vincent L. Briccetti
Charles L. Bricant Jr. Federal Courthouse
300 Quarropas Street, Room 630
White Plains, NY 10601

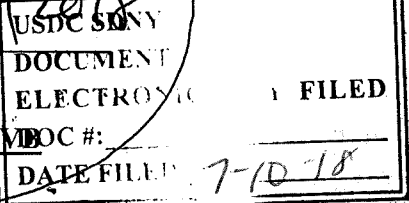
SO ORDERED:

Hon. Vincent L. Briccetti
United States District Judge

Re: Mayhew, et al. v. KAS Direct, LLC, et al., No. 7:16-cv-6981-

Melissa S. Weiner
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The Court approves plaintiffs'
Counsel's proposed changes
to the short-form notice.



Dear Judge Briccetti:

Pursuant to the Court's June 26, 2018 Opinion and Order preliminarily approving the amended settlement agreement (ECF No. 116 at 20), Plaintiffs' counsel writes to confirm that the Court's proposed changes to the long form notice have been made and the Court's proposed changes to the short form notice have been made with one exception as detailed below.

The Court proposed the following modification to the short-form notice:

<u>Original</u>	<u>Court's Proposed Change to Short-Form Notice</u>
If you purchased any Babyganics Products, you may be eligible to receive a payment from a Class Action Settlement. The Action alleged that Defendants KAS Direct LLC and S.C. Johnson & Son, Inc. violated state laws regarding the marketing and sales of Babyganics Products, including the use of the terms "Babyganics," "mineral-based," and "natural."	If you purchased any Babyganics Products, you may be eligible to receive a payment from a Class Action Settlement. The Action alleged that Defendants KAS Direct LLC and S.C. Johnson & Son, Inc. violated state laws regarding the marketing and sales of Babyganics Products, including the use of the terms "Babyganics," "mineral-based," and "natural," "plant-based," "tear-free," and "SPF 50+."

In consultation with Defendant's counsel, Plaintiffs' counsel respectfully proposes the following modification to the short form notice, which counsel believe: (1) is consistent with the Court's proposed change to the long form notice; (2) addresses the Court's concern regarding inclusivity of all claims addressed in the Settlement and (3) accurately represents the claims brought in the "Action," which did not originally allege claims regarding "plant-based," "tear-free," and "SPF 50+," but is resolving them in the Settlement.

<u>Long-Form:</u> <u>Court's Proposed Change</u>	<u>Short-Form:</u> <u>Plaintiffs' Proposed Change</u>
<p>The lawsuit alleges that the Defendants violated certain laws in marketing and sales of Babyganics Products, including the use of the terms “Babyganics” “mineral-based” and “natural.” The Settlement of this lawsuit will also resolve claims relating to subsets of Babyganics Products labeled with the terms “plant-based,” “tear-free” and “SPF 50+”. Those claims were raised in the following cases: <i>Machlan v. S.C. Johnson, Inc.</i>, Case No. CGC-17-557613 (Sup. Ct. CA), later removed on April 28, 2017 to the District Court of the Northern District of California, No. 3:17-cv-02442 (certain Babyganics pre-moistened wipes with “plant”-related labeling); <i>Skeen v. KAS Direct, LLC d/b/a Babyganics</i>, No. 1:17-cv-4119 (S.D.N.Y.) (certain Babyganics products with “tear-free”-related labeling); and <i>Carroll v. S.C. Johnson & Son, Inc.</i>, Case No. 1:17-cv-5828, (N.D. Ill.) (certain Babyganics and mineral-based sunscreen products with SPF 50+ labeling).</p>	<p>The Action alleged that Defendants KAS Direct LLC and S.C. Johnson & Son, Inc. violated state laws regarding the marketing and sales of Babyganics Products, including the use of the terms “Babyganics,” “mineral-based,” and “natural.” The case is called <i>Mayhew, et. al v. KAS Direct, LLC</i>, Case No. 7:16-cv-06981-VB. The Settlement of this lawsuit will also resolve claims relating to subsets of Babyganics Products labeled with the terms “plant-based,” “tear-free” and “SPF 50+”. Those claims were raised in the following cases: <i>Machlan v. S.C. Johnson, Inc.</i>, Case No. CGC-17-557613 (Sup. Ct. CA), later removed on April 28, 2017 to the District Court of the Northern District of California, No. 3:17-cv-02442 (certain Babyganics pre-moistened wipes with “plant”-related labeling); <i>Skeen v. KAS Direct, LLC, d/b/a/ Babyganics</i>, No. 1:17-cv-04119 (S.D.N.Y.) (certain Babyganics products with “tear-free”-related labeling); and <i>Carroll v. S. C. Johnson & Son, Inc.</i>, Case No. 1:17-cv-5828, (N.D. Ill.) (certain Babyganics and mineral-based sunscreen products with SPF 50+ labeling).</p>

Plaintiffs’ counsel have conferred with counsel for Defendant and Defendant consented to the form and filing of this notice.

Very truly yours,

HALUNEN LAW

/s/ Melissa S. Weiner

Melissa S. Weiner

cc: All counsel of record (via CM/ECF)